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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,259

Applicant(s)

CHERNOW ET AL.

Examiner

Dan Washburn

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/27/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 12/27/2005 have been fully considered but they are not persuasive.

As to the applicant's argument regarding claim 1, that Cook does not describe the step wherein the rendering information represents at least one image comprising differential image information for generating a composite image, the examiner contests that Cook describes exactly that scenario. Cook describes a web page where a user input event or a triggered event causes a state change of one or more objects, which is considered generating differential image information as the objects change from one form to another over time (i.e. the starburst graphic 114 of Figure 1 that is selectively displayed behind text 108 based on a user's movement of a mouse pointer), and leads to a redraw event, where all the objects on the display are updated (column 10 lines 5-67 and column 11 lines 1-21). The redraw event only occurs when there is at least one image comprising differential image information to be displayed, as it is based on a triggered event or a user input event. The redraw event of objects, specifically objects that have undergone a state change, can result in the creation of a composite image (column 4 lines 39-66). For example, Cook describes displaying picture 110 (Figure 1) in a space that may have contained other objects prior to the display of picture 110. Picture 110 is displayed so that it partially or completely obscures such objects, and picture 110 may appear wholly or partially transparent or translucent, which would allow any underlying objects to be only partially obscured. The combination of picture 110

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being displayed over other objects so that the other objects are partially or wholly obscured is considered generating a composite image.

Applicant's arguments with respect to claims 5, 7, 8, 13, 15, 16, 21, and 26 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-4, 9-12, 17-20, 25, and 27-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Cook et al. (US 6,178,432).

Concerning claims 1, 9, 17, and 30, Cook describes a method, computer program product embodied in a machine-readable medium, and system comprising: a memory unit operable for associating graphical images displayed on a web page with client side events; and a processor coupled to said memory unit, wherein said

processor, responsive to said computer program, comprises: circuitry operable for providing graphical image information including control information and rendering information, said control information for controlling a display of said rendering information, wherein said control information comprises an image identifier value; circuitry operable for receiving an event identifier value in response to a client initiated action; and displaying said rendering information in response to said event identifier value matching said image identifier value in said control information, wherein said rendering information represents at least one graphical image comprising differential information for generating a composite image. For example, Cook describes Figure 2B as a hardware setup used in one embodiment of his invention. He describes computer 250 as including processing unit 252 and storage, or memory, unit 256 column 6 lines 47-53. Stored within the memory unit is module 208, which creates a webpage that is capable of associating displayed graphical images with client side events column 4 lines 44-66. The client side event has associated control information that controls what is rendered on the screen and where it is rendered column 10 lines 35-49. In this particular case the position of the mouse cursor during a client side event determines the control information sent to memory to decide which image or images are to be presented. The associated Java applet looks up all objects with the corresponding mouse position and determines what action, if any, to take on each object. Figures 1A and 1B offer a visual depiction of the method described. Figure 1A is the original presentation of a webpage, and Figure 1B is the composite image that results from a user clicking on various objects on the screen. All tasks are completed without creating

a new and separate webpage column 4 lines 53-67 and column 5 lines 1-11. A redraw event occurs every time a triggered event or a user input event changes the state of an object or objects on the display. The redraw event redraws all objects on the display and at least one of the redrawn images comprises differential image information, as a state change of this object has been triggered by the user input event or the triggering event (column 10 lines 5-67 and column 11 lines 1-20). In certain cases the state change of an object causes a composite image to be generated. The simplest example is when an object is marked as 'drawn' in a certain location and the state change of a second object causes it to be marked as 'drawn' in the same location. The result of the redraw command is a composite image at the location where both objects are drawn. Cook offers the example of picture 110 of Figure 1 being drawn over the top of other underlying objects so that picture 110 fully or partially obscures the other objects (column 4 lines 39-66). Cook further explains that picture 110 may be wholly or partially transparent or translucent, which means any objects on the layer below picture 110 would partially show through the transparent or translucent areas of the picture.

With regard to claims 2, 10, 18, and 31, Cook includes a method, computer program, and system wherein the graphical image information includes control information and corresponding rendering information representing a plurality of graphical images, wherein the processor further comprises: circuitry for initially displaying a first graphical image of the plurality of graphical images. For example, Cook offers Figure 1A as a webpage in its initial state before the user has activated the interactive features column 4 lines 41-46. Figure 1B illustrates the same webpage after

the multimedia features have become active and the user has triggered some of the interactivity by moving a mouse cursor over a designated area or by manipulating the mouse button while the cursor is over a designated area column 4 lines 46-52. The position of the mouse cursor is the control information that controls which image of the plurality of graphical images is to be displayed on the webpage, thereby creating a composite image.

As to claims 3, 11, 19, and 28, Cook describes a method, computer program, and system wherein the rendering information for the circuitry operable for displaying the rendering information comprises rendering information representing a second graphical image of the plurality of graphical images and wherein the first and second graphical images generate a composite image. For example, Cook describes picture 110, of Figure 1B, as an image that appears on the screen in a designated location. He also describes that if the designated space is occupied then picture 110 will partially or wholly obscure the underlying picture, therefore creating a composite image that consists of the original webpage, as illustrated in Figure 1A, combined with picture 110, as illustrated in Figure 1B column 4 lines 53-62.

Regarding claims 4, 12, 20, and 29, Cook discloses a method, computer program, and system wherein the first and second graphical images respectively represent first and second states of a control element in one or more web pages. For example, Cook offers buttons 104 and 106 of Figures 1A and 1B as control elements. Figure 1A shows the two control elements in their initial states. Cook describes that a user clicking and dragging on button 104 will move button 104 and cause it to change

colors and start flashing. Likewise, a user clicking on button 106 causes a series of lines to be displayed around the button column 4 lines 66-67 and column 5 lines 1-3. The changes described in buttons 104 and 106 represent first and second states of a control element in a webpage.

Concerning claim 25, Cook describes a method comprising the steps of: providing graphical image information including control information and rendering information, said control information for controlling a display of said rendering information, wherein said control information comprises an image identifier value; receiving an event identifier value in response to a client initiated action; and displaying said rendering information in response to said event identifier value matching said image identifier value in said control information, wherein said rendering information includes at least one graphical image comprising differential image information for generating a composite image, said graphical image information including control information and corresponding rendering information representing a plurality of graphical images and wherein said method further comprises initially displaying a first graphical image of said plurality of graphical images, and wherein said rendering information in said displaying step comprises rendering information representing a second graphical image of said plurality of graphical images, said first and second graphical images generating said composite image. For example, Cook describes storage unit 256 and processing unit 252 of Figure 2B as providing graphical information including control information and rendering information. Once the applet application controlled by processing unit 252 has determined all the objects that contain

the cursor position of a received event the application performs all actions that correspond to the event, this mainly entails state changes of many of the objects column 10 lines 50-55. Processing unit 252 gathers graphical image information from storage unit 256 and provides this information to be displayed on monitor 254, which mainly involves presenting rendering information that appears visually as one or more objects changing from one state to another. The remainder of claim 25 is addressed in the rejections of claims 1, 2, and 3. See the corresponding paragraphs above for the rejection of the remaining subject matter.

As to claim 27, Cook discloses a system comprising: a memory unit operable for storing a computer program operable for generating pages; and a processor coupled to said memory unit, wherein said processor, responsive to said computer program, comprises: circuitry operable for generating said page for transmission to a client via a network, said page including a graphical control element, said graphical control element being responsive to user input, wherein said graphical control element comprises graphical image information, said graphical image information including control extension information and rendering information, said control extension information for controlling a display of said rendering information; wherein said control extension information includes an image identifier value, said image identifier value for associating said user input with a display of rendering information; and wherein said rendering information includes at least one graphical image comprising differential image information for generating a composite image representing a selected state of said control element. For example, Cook offers Figure 2B as a computer system that

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includes processing unit 252 and storage, or memory, unit 256, where processor 252 is coupled to memory unit 256. Storage unit 256 stores various modules 204 including the Web page authoring module 208 column 6 lines 47-53. Cook describes that the computer system can be connected to the Internet, where the computer acts as a server and supplies web pages to clients such as computer 270. In other embodiments, using portable web devices, Java may run on an intermediate server; the client program is only required to display the preprocessed page, rather than assume all the processing responsibilities column 7 lines 5-21. The remainders of the limitations presented in claim 27 have been addressed in the rejection of claim 1. See the corresponding paragraphs above for the rejection of the remaining subject matter.

Regarding claim 32, Cook describes a computer program product wherein the control information further includes a disposal value operable for controlling a disposal method of displaying rendering information. For example, Cook describes organizing the objects that may be rendered on the screen into groups, stacks, and switches. A group of objects is described as a group of objects that are all displayed or hidden together, a stack is a group of objects that is displayed one at a time, and a switch is a group of objects which are organized so that only one of the objects is in a given state at a time column 5 lines 59-67. In this example the disposal value is the identifier that is associated with a currently displayed object when another object from the same stack or switch is selected to replace it. The object is disposed of because it is removed from the display to allow another object to be displayed in the same location.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-8, 13-16, 21-24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (US 6,178,432) in view of Middleton, III et al. (US 2001/0043215).

Concerning claims 5, 13, and 21, Cook describes a method, computer program embodied in a machine-readable medium, and a system comprising: a memory unit operable for storing a computer program operable for associating graphical images displayed on a web page with client side events; and a processor coupled to said memory unit, wherein said processor, responsive to said computer program, comprises: circuitry operable for receiving graphical image files; circuitry operable for initially displaying rendering information for a first graphical image file of the plurality of graphical image files; circuitry operable for receiving an event corresponding to one of a plurality of event parameters; and circuitry operable for displaying respective rendering information for a second graphical image file of said plurality of graphical image files, the second graphical image file having a respective event parameter corresponding to the event, wherein the respective rendering information for the second graphical image comprises differential image information that is combined with respective rendering information for the first graphical image file, to generate a composite image. For

example, Cook describes the computer system of Figure 2B as a computer system that contains storage, or memory, unit 256 and processing unit 252. The processor 252 is coupled to the memory 256 and uses the memory unit to access a graphical image that corresponds to the request of the client side event column 6 lines 46-53. The system Cook describes is capable of receiving a client side event that has a corresponding event parameter associated with a particular graphical image file column 6 lines 20-35 and column 10 lines 35-40. In this case the event is a user clicking the mouse button or moving the mouse cursor to a certain location on the webpage and the event parameter is the position of the mouse cursor when the user interacts with an object on the page. The rendering information is the change in the display that occurs as a result of the specific location of the mouse click. Figure 1A illustrates the system displaying a first graphical image and Figure 1B illustrates the composite image that results from the user clicking on various objects contained within the original display. As an example, the rendered images that were added to the image in Figure 1A are object 110, which may be partially or wholly covering any underlying objects column 4 lines 39-67, object 114, and the lines around objects 104 and 106.

Cook doesn't describe receiving one graphical image file containing a plurality of graphical images and a respective event parameter corresponding to each of said plurality of images, wherein each of said plurality of images comprises respective rendering information.

However, Middleton, III describes a system that receives a webpage and a corresponding graphical image file containing a plurality of graphical images and a

respective event parameter corresponding to each of said plurality of images, wherein each of said plurality of images comprises respective rendering information paragraph 0010. Middleton describes creating a single graphical image file that contains images, sounds, animation routines, and any other information that a webpage may need to run an advertisement when a user opens the page paragraphs 0021 and 0024. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in Cook the method of creating a single graphical image file that contains all the image, sound, and animation information necessary to operate a webpage in order to create an efficient way of downloading animated presentation files that are associated with a webpage and need to be readily accessible as soon as the user views the page.

With regard to claims 6, 14, and 22, Cook includes a method, computer program product, and system wherein the event in the circuitry operable for receiving is received from an event handler for a type of said event. For example, Cook describes an event processor, which can be considered an event handler, that is configured to process events as they occur and adjust the states of objects according to the events column 3 lines 34-38.

As to claims 7, 8, 15, 16, 23, and 24, Cook in view of Middleton describes a method, computer program product, and system wherein the graphical image file comprises a plurality of graphical images, wherein the circuitry operable for displaying rendering information comprises: circuitry operable for sequentially bypassing a set of graphical images in said plurality of graphical images while a value does not equal the event parameter value, wherein if the value equals the event parameter value then the

processor further comprises: circuitry operable for displaying rendering information of a current graphical image in sequence in said plurality of graphical images. For example, Cook describes a user input event of a mouse click on a web page at a certain position on the screen. The position of the cursor when the mouse click occurs is used as a value to decide which objects on the screen may require updating. As the software program searches through all the objects on the screen it will sequentially bypass a graphical image in a plurality of graphical images associated with objects that don't have an image to be displayed associated with the position of the cursor when the mouse was clicked. When the program finds objects that have images to be displayed that match the position of the cursor when the mouse was clicked then these images are rendered on the screen column 10 lines 35-65. Cook further describes that some of the groups of images are organized into switches, where only one of the objects in the switch can be displayed based on the state of the incoming value and the corresponding case in the switch statement column 5 lines 59-67.

Cook in view of Middleton doesn't describe using a count value to sequentially bypass sets of graphical images when the count value does not equal the event parameter value, nor does he describe sequentially incrementing the count value for each sequential bypass of images and initializing the count value before searching through each set of images.

However, based on Cook's description of searching through sets of graphical images and comparing information for each set of graphical images to a mouse cursor position value, and Cook's description of using a switch statement, which is a well-

known JavaScript function that compares a set of values to an incoming value and takes a particular course of action when the incoming value matches a specific case in the set of values, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement a counter, which is also well-known in the art, as a means to search through sets of images until the incrementing counter matches the value that corresponds to the user defined event. Using a counter and comparator arrangement to decide which images to ignore and which images to display is functionally identical to using the coordinates of the mouse click to search through a set of images to find the images that correspond to the particular coordinates of the click. Further, the counter/comparator method described is analogous in functionality to JavaScript's switch statement; therefore incrementing a counter while iterating through sets of images until the counter value matches the image event value is simply an obvious modification.

Regarding claim 26, Cook describes a method comprising receiving a value for an event parameter associated with graphical image files; receiving an event corresponding to the event parameter, and displaying rendering information for a graphical image in said graphical image file corresponding to the value of the event parameter in response to the event in the receiving step, wherein the rendering information comprises a plurality of graphical images and wherein the method further comprises initially displaying a first graphical image of the plurality of graphical images, the display step comprising displaying rendering information representing a second graphical image of the plurality of graphical images and wherein a disposal method flag

associated with the first graphical image is set of a value corresponding to “do not dispose”, the first and second graphical images are aggregated to generate a composite image. For example, Cook describes Figure 4A as containing a system triggered event and a user input event. Each event has a corresponding event parameter and each event displays rendering information for a graphical image from the set of graphical image files, for example, the images illustrated in Figure 1B after a user has clicked in areas on a webpage. Cook also describes an example of when a first graphical image has a logical flag that has been set to “do not dispose”, which is considered equivalent to “always on top”. Cook describes text 108 of Figure 1A as not being obscured by starburst graphic 114 when a user moves the mouse cursor into the area containing text 108 column 5 lines 1-10. Text 108 has not been covered by starburst graphic 114 and instead the first and second graphical images are aggregated to generate a composite image as illustrated in Figure 1B.

Cook doesn't describe receiving one graphical image file containing a plurality of graphical images and a respective event parameter corresponding to each of said plurality of images, wherein each of said plurality of images comprises respective rendering information.

However, Middleton describes receiving one graphical image file containing a plurality of graphical images and a respective event parameter corresponding to each of said plurality of images, wherein each of said plurality of images comprises respective rendering information. The details of Middleton's invention and the motivation to combine Middleton with Cook are found in the rejection of claim 5.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Oka (US 2001/0055028) describes creating a composite image from first and second images.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Washburn whose telephone number is (571) 272-5551. The examiner can normally be reached on Monday through Friday 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571) 272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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DW

2/23/06


ULKA CHAUHAN
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